



Liverpool
City Council

Whistleblowing Policy

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1. Purpose of the Whistleblowing Policy

- 1.1 Liverpool City Council (the Council) is committed to the highest possible standards of openness, probity and accountability. In line with this commitment the Council expects all its employees (and others that it deals with) who have serious concerns about any aspect of the Council's work to come forward and voice those concerns.
- 1.2 The Whistleblowing Policy makes it clear that employees (and others) can voice legitimate concerns without fear of; victimisation, subsequent discrimination or disadvantage.
- 1.3 An employee who raises a concern is protected by the Public Interest Disclosure Act 1998 which is incorporated into the Employment Rights Act 1996 as long as the concern raised is made in the public interest.
- 1.4 This policy document should be read in conjunction with the Whistleblowing Procedure and also other relevant procedure documents, in particular the Anti-Fraud, Bribery, Corruption and Tax Evasion Strategy.

2. Overview of the Whistleblowing Policy

- 2.1 The Policy is designed to:
 - Set out the rights and responsibilities of all individuals in relation to whistleblowing. This is the person who is the subject of the complaint, the complainant and the Council.
 - Set out the circumstances in which this Whistleblowing Policy should be applied.

3. Scope

- 3.1 The Whistleblowing Policy applies to all employees, workers and others at the Council including:

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- Those designated as agency workers.
- Fixed term employees.
- Authorised volunteers.
- Work experience.
- Contractors or Consultants working for the Council on or Council premises.
- Suppliers and those providing services under a contract with the Council in their own premises.
- Members of the Council.
- Partner organisations.
- Members of the public.

4. The Whistleblowing Policy

4.1 The Council is committed to:

- Encouraging all its employees, workers and others to feel confident in raising serious concerns and to question and act upon those concerns.
- Providing confidential avenues through which concerns can be raised and general feedback given, where possible, on any action that may be taken.
- Reassuring employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that the disclosure has been made in the public interest and it is not unlawful or contravenes other forms of legislation.

4.2 There are procedures in place to enable employees to lodge a Grievance relating to their own employment and there is also a City Council's Complaints Procedure for more general complaints The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of these other procedures.

These issues may include:

- Conduct which is an offence or a breach of law.
- Failure to comply with a legal obligation.
- Disclosures related to miscarriages of justice.

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- Health and safety risks (including risks to the public as well as other employees) if reported and not acted upon.
- Damage to the environment.
- The unauthorised use of public funds.
- Possible fraud, bribery, corruption, tax evasion and money laundering.
- Sexual, physical or other abuse of clients.
- Other unethical conduct.
- Actions which are unprofessional, inappropriate or conflict with a general understanding of what is right and wrong, an.
- Any attempt to prevent disclosure of the above.

4.3 A typical whistleblowing referral may be about something that:

- Makes the individual feel uncomfortable in terms of known standards, their experience or the standards they believe the Council subscribes to.
- Is against the Council's Financial Regulations, Standing Orders and other policies and legal obligations.
- Falls below established standards of good practice.
- Amounts to improper conduct.

5. Assurances to all Employees

5.1 There is a requirement for the appropriate Director (Chief Officer) to notify the Section 151 Officer immediately of all (suspected) financial or accounting irregularities as soon as he/she is notified of them (Financial Regulation 12.1).

5.2 The requirement is not superseded by this Whistleblowing Policy and the Chief Officer must act accordingly if a financial issue is raised.

5.3 The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect individual(s) who have raised a concern in the public interest.

- 5.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect the individual who has raised the concern.

6. Anonymity and Confidentiality

- 6.1 The Council encourages whistleblowers to put their name to their allegation rather than to remain anonymous, so that further details about the allegations can be obtained if necessary.
- 6.2 Where a whistleblower provides their name, the concern will be treated confidentially, and every effort will be made not to reveal the identity of the individual who has raised the concern unless there are legal reasons to the contrary.
- 6.3 It must be noted that any person, who is the subject of a whistleblowing allegation has legal rights which may be exercised and are independent of the Council.

7. Untrue Allegations

- 7.1 If an individual makes an allegation which they reasonably believe is in the public interest, but it is not confirmed by the investigation, then no action will be taken against them.
- 7.2 If an individual makes an allegation which turns out to be untrue, without reasonably believing the allegation to be made in the public interest, then the matter will be considered under the Council's Disciplinary Procedure and disciplinary action may be pursued.
- 7.3 Employees may take legal action independently of the Council. This includes the person who is the subject of the complaint, the complainant and the Council.